

STATE OF MICHIGAN
COURT OF APPEALS

ANTHONY TAYLOR,

Plaintiff-Appellant,

v

YRC, INC., doing business as FREIGHT, and
KEVEN KING,

Defendants-Appellees.

UNPUBLISHED

February 2, 2023

No. 358037

Oakland Circuit Court

LC No. 2019-175506-NO

Before: HOOD, P.J., and SWARTZLE and REDFORD, JJ.

SWARTZLE and REDFORD, JJ. (*concurring*).

I concur in the judgment to affirm as well as the entirety of the lead opinion with the exception of Part III. C. Rather than apply plain error, I believe that our adversarial system is best served by applying the “raise or waive” rule in civil cases (with a few limited exceptions not relevant here). *Batton-Jajuga v Farm Bureau Gen Ins Co of Mich*, 322 Mich App 422, 437; 913 NW2d 351 (2017).

/s/ Brock A. Swartzle

/s/ James Robert Redford